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11 *Counsel for Defendant Beijing Matsushita*  
 12 *Color CRT Co., Ltd.*

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

16 IN RE: CATHODE RAY TUBE (CRT)  
 17 ANTITRUST LITIGATION,

Case No. 3:07-cv-5944 SC, MDL No. 1917

18 This document relates to:

19 ALL INDIRECT-PURCHASER ACTIONS,

20 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,*  
 No. 11-cv-05513;

21 *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et*  
 22 *al., No. 11-cv-01656;*

23 *Sears, Roebuck & Co., et al. v. Chunghwa*  
*Picture Tubes, Ltd., et al., No. 11-cv-05514;*

24 *Target Corp. v. Chunghwa Picture Tubes, Ltd.,*  
 25 *et al., No. 11-cv-05514;*

26 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.,*  
 No. 13-cv-00157;

27 *Viewsonic Corp. v. Chunghwa Picture Tubes,*  
 28 *Ltd., et al., No. 14-cv-02510.*

**DECLARATION OF RICHARD S.  
 SNYDER IN SUPPORT OF  
 DEFENDANT BEIJING MATSUSHITA  
 COLOR CRT CO., LTD.'S MOTION  
 FOR SUMMARY JUDGMENT FOR  
 FAILURE TO ADDUCE EVIDENCE  
 SUFFICIENT TO STATE A CLAIM IN  
 LIGHT OF THE FTAIA AND FOR  
 LACK OF STANDING TO SEEK  
 INJUNCTIVE RELIEF**

[Defendant Beijing Matsushita Color CRT Co., Ltd.'s Motion for Summary Judgment for Failure to Adduce Evidence Sufficient to State a Claim in Light of FTAIA and For Lack of Standing to Seek Injunctive Relief filed Concurrently Herewith]

Judge: Honorable Samuel Conti  
 Court: Courtroom 1, 17th Floor  
 Date: February 6, 2015, 10:00 a.m.

1 I, Richard S. Snyder, hereby declare as follows:

2 1. I am Counsel at Freshfields Bruckhaus Deringer US LLP, counsel to Beijing  
3 Matsushita Color CRT Co., Ltd. (**BMCC**) in the above-captioned litigation.

4 2. I am a member of the Bars of the Commonwealth of Virginia and the District of  
5 Columbia and am admitted to practice before this Court *pro hac vice*. I have personal knowledge  
6 of the facts stated herein and, if called as a witness, I could and would competently testify thereto.

7 3. This declaration is submitted in support of the motion by BMCC for summary  
8 judgment in the above referenced cases, *In re Cathode Ray Tube (CRT) Antitrust Litigation*,  
9 Master File No. 3:07-MDL-1917, for failure to adduce evidence sufficient to state a claim in light  
10 of the FTAIA and for lack of standing to seek injunctive relief.

11 4. Attached hereto as Exhibit A is a true and correct copy of excerpts from the  
12 Objections and Responses of Defendant Beijing Matsushita Color CRT Co., Ltd. to Indirect  
13 Purchaser Plaintiffs' First Set of Interrogatories, pages 1-3, 27-28.

14 5. BMCC has not been subject to any investigation or inquiry by the United States  
15 Department of Justice Antitrust Division (**DOJ**) and was not a recipient of the European  
16 Commission's Statement of Objections relating to CRTs.

17 6. BMCC has not been subject to criminal prosecution with respect to CRTs.

18 7. I have conducted a thorough search of publicly available information on the  
19 website of the DOJ ([www.usdoj.gov/atr](http://www.usdoj.gov/atr)), and to my knowledge, the only criminal action brought  
20 by the DOJ to date with respect to CRTs is a DOJ conspiracy prosecution which was limited to  
21 CDTs only, and covered the period January 1997 – March 2006. *See* Request for Judicial Notice,  
22 filed November 7, 2014, Exhibit X.

23 8. Plaintiffs conducted depositions of two deponents who identified themselves as  
24 former employees of BMCC during their depositions; neither witness was questioned with regard  
25 to their role in sales at BMCC.

26 9. Plaintiffs have not authenticated, via deposition, stipulation, or otherwise, any  
27 documents produced by BMCC.

10. No witness has testified in deposition to having agreed with anyone at BMCC on the price at which any CRT would be sold in the United States.

11. No witness has testified in deposition to having agreed with anyone at BMCC to limit exports to the United States.

12. Attached hereto as Exhibit B is a true and correct copy of the Indirect Purchaser Plaintiffs' Objections and Responses to Defendant MT Picture Display Co., Ltd.'s First Set of Interrogatories, including Exhibit A.<sup>1</sup> **FILED UNDER SEAL.**

13. Attached hereto as Exhibit C is a true and correct copy of a document produced in this matter, Bates labeled PHLP-CRT-087372. **FILED UNDER SEAL.**

14. Attached hereto as Exhibit D is a true and correct copy of excerpts from the deposition of Chih Chun-Liu, taken on February 21, 2013 pages 423:22-424:8 and the reporter's certification.

15. Attached hereto as Exhibit E is a true and correct copy of an excerpt of the Expert Report of Janusz A. Ordovery, Ph.D. dated August 5, 2014 ¶¶ 12-14 including Figure 1.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was signed this 7th day of November, 2014, in Washington, D.C.

Freshfields Bruckhaus Deringer US LLP

By:

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Color CRT Co., Ltd.***

<sup>1</sup> The response of the Indirect Purchaser Plaintiffs is provided by way of example. Multiple other plaintiffs also submitted the Conspiracy Chart in response to interrogatories.